

**VIRGINIA BOARD OF NURSING
COMMITTEE OF THE JOINT BOARDS OF NURSING AND MEDICINE
FORMAL HEARING
December 2, 2009**

TIME AND PLACE: The meeting of the Committee of the Joint Boards of Nursing and Medicine was convened at 9:35 A.M., in Board Room 1, Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Richmond, Virginia. The business meeting was cancelled due to lack of business and the Committee met for the consideration of a formal hearing, agency subordinate recommendations and a consent order.

MEMBERS PRESENT: Patricia M. Selig, R.N., F.N.P., Ph.D., Chairperson
Peregrin C. Francisco, R.N., M.S.A.
Joyce A. Hahn, PhD., APRN, NEA-BC
Jennifer S. Lee, M.D.
Wayne Reynolds, D.O.

STAFF PRESENT: Jay P. Douglas, R.N., M.S.N., C.S.A.C., Executive Director
Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director
Donna M. Lee, Senior Discipline Specialist, Board of Nursing

OTHERS PRESENT: Howard M. Casway, Senior Assistant Attorney General.

ESTABLISHMENT OF A QUORUM: With five (5) members of the Committee present, a quorum was established.

FORMAL HEARING: Lauren Young, R.N., LNP Reinstatement Applicant – **0024-086286; 0017-001330**
Ms. Young did appear and testified.

Mary Beth Shelton, Administrative Proceedings Division, represented the Commonwealth. Howard Casway, Senior Assistant Attorney General, was legal counsel for the Committee. Lynn Taylor, court reporter, recorded the proceedings.

CLOSED MEETING: Ms. Francisco moved that the Committee of the Joint Boards of Nursing and Medicine convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 10:05 A.M., for the purpose of deliberation to reach a decision in the matter of Ms. Young. Additionally, Ms. Francisco moved that Ms. Douglas, Ms. Mitchell, Mr. Casway and Ms. Lee attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Committee in its deliberations.

RECONVENTION: The Committee reconvened in open session at 10:33 A.M.

Ms. Francisco moved that the Committee of the Joint Boards of Nursing and Medicine certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened. The motion was seconded and carried unanimously.

Dr. Hahn moved that the Committee of the Joint Boards of Nursing and Medicine accept the findings of fact and conclusions of law as presented by Ms. Shelton and amended by the Committee. The motion was seconded and carried unanimously.

Dr. Reynolds moved that the Committee of the Joint Boards of Nursing and Medicine reinstate the nurse practitioner license and prescriptive authority of Lauren Young and place her on probation with certain terms and conditions. The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Committee of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

RECESS: The Formal Hearing concluded at 10:35 P.M. The Committee recessed until 11:50 A.M. for consideration of agency subordinate recommendations.

RECONVENTION: The Committee reconvened at 11:50 A.M.

Consideration of Agency Subordinate Recommendations and Consent Order:

Michele Scanlon, R.N., L.N.P. – 0001-073897, 0024-073897

Ms. Scanlon appeared with her attorney, William Kee, and addressed the Committee.

CLOSED MEETING: Ms. Francisco moved that the Committee of the Joint Boards of Nursing and Medicine convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 11:05 A.M., for the purpose of consideration of an agency subordinate recommendation pertaining to Michele Scanlon. Additionally, Ms. Francisco moved that Ms. Douglas, Ms. Mitchell, Mr. Casway, and Ms. Lee attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 11:09 A.M.

Ms. Francisco moved that the Committee of the Joint Boards of Nursing and Medicine certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were

identified in the motion by which the closed meeting was convened.
The motion was seconded and carried unanimously.

Dr. Lee moved that the Committee of the Joint Boards of Nursing and Medicine accept the recommended decision of the agency subordinate to indefinitely suspend the nurse practitioner license and prescriptive authority of Michele Scanlon, and stay the suspension contingent upon Ms. Scanlon's entry into the Health Practitioners' Monitoring Program and compliance with certain terms and conditions.

The motion was seconded and carried unanimously.

CLOSED MEETING:

Ms. Francisco moved that the Committee of the Joint Boards of Nursing and Medicine convene a closed meeting pursuant to §2.2-3711(A)(27) of the Code of Virginia at 11:10 A.M., for the purpose of consideration of agency subordinate recommendations and a consent order. Additionally, Ms. Francisco moved that Ms. Douglas, Ms. Mitchell, Mr. Casway and Ms. Lee attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 11:30 A.M.

Ms. Francisco moved that the Committee of the Joint Boards of Nursing and Medicine certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Michele Davidson, R.N., L.N.P. – 0001-146903, 0024-146903, 0017-001056

Ms. Davidson did not appear.

Dr. Reynolds moved that the Committee of the Joint Boards of Nursing and Medicine modify the recommended decision of the agency subordinate to indefinitely suspend the nurse practitioner license and prescriptive authority of Michele Davidson, and stay the suspension contingent upon Ms. Davidson's entry into the Health Practitioners' Monitoring Program and compliance with certain terms and conditions.

The motion was seconded and carried. Dr. Selig, Ms. Francisco, Dr. Lee and Dr. Reynolds were in favor of the motion. Dr. Hahn abstained.

Judith Gore, R.N., L.N.P. – 0001-047673, 0024-047673, 0017-136820

Ms. Gore did not appear.

Dr. Reynolds moved that the Committee of the Joint Boards of Nursing and Medicine modify the recommended decision of the agency subordinate to indefinitely suspend Judith Gore's prescriptive authority for a period of not less than 12 months and require her to complete 15 hours of Board approved

continuing education courses in the subjects of proper prescribing and record keeping within 12 months of the date of entry of the order.
The motion was seconded and carried unanimously.

Richard Palley, R.N., L.N.P. – 0001-114680, 0024-114680

Mr. Palley did not appear.

Dr. Reynolds moved that the Committee of the Joint Boards of Nursing and Medicine accept the recommended decision of the agency subordinate to reprimand Mr. Palley in his practice as a nurse practitioner.
The motion was seconded and carried unanimously.

Dawn Muth, R.N., L.N.P. – 0001-138400, 0024-165057

Ms. Muth did not appear.

Dr. Lee moved that the Committee of the Joint Boards of Nursing and Medicine accept the consent order for indefinite suspension of the license of Dawn Muth to practice as a nurse practitioner.
The motion was seconded and carried unanimously.

ADJOURNMENT:

The meeting was adjourned at 11:35 P.M.

Jay P. Douglas, R.N., M.S.M., C.S.A.C.
Executive Director
Board of Nursing

**VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE OF THE BOARD OF NURSING AND
THE COMMITTEE OF THE JOINT BOARD OF NURSING AND MEDICINE
MINUTES
December 2, 2009**

TIME AND PLACE: The meeting of the Special Conference Committee of the Board of Nursing and the Committee of the Joint Boards of Nursing and Medicine was convened at 11:45 A.M., in Conference Room 1, Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Richmond, Virginia.

MEMBERS PRESENT: Patricia M. Selig, R.N., F.N.P., Ph.D., Chairperson
Joyce A. Hahn, PhD., APRN, NEA-BC
Wayne Reynolds, D.O.

STAFF PRESENT: Jay P. Douglas, R.N., M.S.N., C.S.A.C., Executive Director
Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director, Discipline
Anne Joseph, Deputy Director, Administrative Proceedings Division

**CONFERENCES
SCHEDULED:**

Jacqueline Carrier, R.N., L.N.P. – 0001-108539; 0024-108539; 0017-001197
Ms. Carrier appeared, accompanied by her husband, Guy Carrier. Ms. Carrier was represented by her attorney, Arthur Goff.

CLOSED MEETING: Dr. Hahn moved that the Special Conference Committee of the Board of Nursing and the Committee of the Joint Boards of Nursing and Medicine convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 12:50 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Carrier. Additionally, Dr. Hahn moved that Ms. Douglas and Ms. Mitchell attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 1:25 P.M.

Dr. Hahn moved that the Special Conference Committee of the Board of Nursing and the Committee of the Joint Boards of Nursing and Medicine certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

ACTION: Dr. Reynolds moved to issue an order reprimanding Ms. Carrier in her practice as a licensed nurse practitioner with prescriptive authority and to place her on probation with certain terms and conditions for a period of not less than 12

months of actual nurse practitioner practice; and that no further action shall be taken against Ms. Carrier's nurse practitioner license contingent upon her entering into the Health Practitioners' Monitoring Program within 45 days of the date of entry of the Board Order.

The motion was seconded and carried unanimously.

Dr. Hahn moved that no further action shall be taken against Ms. Carrier's professional nursing license contingent upon her entering into the Health Practitioners' Monitoring Program within 45 days of the date of entry of the Board Order.

The motion was seconded and carried unanimously.

An Order will be entered against the nurse practitioner license and the professional nursing license. As provided by law, the decisions shall become Final Orders thirty days after service of such orders on Ms. Carrier unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Carrier within such time. If service of the orders are made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing the Orders shall be vacated.

Carolyn Karcher, R.N., L.N.P. – 0001-161125; 0024-164782

Ms. Karcher appeared, accompanied by James Thorpe, former work site monitor; Abbey Thompson, sister; and her mother, Marlene Motley. Ms. Karcher was represented by her attorney, Bevin Alexander.

CLOSED MEETING: Dr. Hahn moved that the Special Conference Committee of the Board of Nursing and the Committee of the Joint Boards of Nursing and Medicine convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 3:11 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Karcher. Additionally, Dr. Hahn moved that Ms. Douglas and Ms. Mitchell attend the closed meeting because their presence in the closed meeting is deemed necessary, and their presence will aid the Committee in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Committee reconvened in open session at 3:30 P.M.

Dr. Hahn moved that the Special Conference Committee of the Board of Nursing and the Committee of the Joint Boards of Nursing and Medicine certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

ACTION: Dr. Reynolds moved to issue an order reprimanding Ms. Karcher in her practice as a licensed nurse practitioner and to place her on probation with certain terms and conditions for a period of not less than 12 months of actual nurse practitioner practice.

The motion was seconded and carried unanimously.

Dr. Hahn moved to issue an order reprimanding Ms. Karcher in her practice as a professional nurse and to place her on probation with terms and conditions for a period of not less than 12 months of actual nursing practice.

The motion was seconded and carried unanimously.

An Order will be entered against the nurse practitioner license and the professional nursing license. As provided by law, the decisions shall become Final Orders thirty days after service of such orders on Ms. Karcher unless a written request to the Board for a formal hearing on the allegations made against her is received from Ms. Karcher within such time. If service of the orders are made by mail, three additional days shall be added to that period. Upon such timely request for a formal hearing the Orders shall be vacated.

ADJOURNMENT:

The meeting was adjourned at 4:00 P.M.

Gloria D. Mitchell, R.N., M.S.N., M.B.A.
Deputy Executive Director, Discipline

**VIRGINIA BOARD OF NURSING
SPECIAL CONFERENCE COMMITTEE OF THE
COMMITTEES OF THE JOINT BOARDS OF NURSING AND MEDICINE
MINUTES
December 2, 2009**

TIME AND PLACE: The meeting of the Special Conference Committee of the Committees of the Joint Boards of Nursing and Medicine was convened at 12:25 P.M. in Board Room 1, Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Suite 201, Richmond, Virginia.

MEMBERS PRESENT: Patricia M. Selig, R.N., F.N.P., Ph.D.
Joyce A. Hahn, PhD., APRN, NEA-BC
Wayne Reynolds, D.O.

STAFF PRESENT: Gloria D. Mitchell, R.N., M.S.N., M.B.A., Deputy Executive Director

PRESENTED FOR CLOSURE:

CLOSED MEETING: Dr. Hahn moved that the Special Conference Committee of the Committee of the Joint Boards of Nursing and Medicine convene a closed meeting pursuant to Section 2.2-3711(A)(27) of the *Code of Virginia* at 12:30 P.M. for the purpose of deliberation regarding case disposition. Additionally, Dr. Hahn moved that Ms. Mitchell attend the closed meeting because her presence in the closed meeting is deemed necessary, and her presence will aid the Committee in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION: The Committee reconvened in open session at 1:00 P.M.

Dr. Hahn moved that the Special Conference Committee of the Committee of the Joint Boards of Nursing and Medicine certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Investigative reports regarding six licensed nurse practitioners were reviewed.

ACTION: Dr. Selig moved to close five of the above cases due to insufficient evidence to support allegations of any violation of the Nurse Practice Act or Board of Nursing regulations.

The motion was seconded and carried unanimously.

Dr. Hahn moved to offer one of the above individuals a confidential consent agreement, in lieu of initiating disciplinary proceedings.
The motion was seconded and carried unanimously.

ADJOURNMENT: The meeting was adjourned at 1:05 P.M.

Gloria D. Mitchell, R.N., M.S.N., M.B.A.
Deputy Executive Director, Discipline